

ARIZONA DEPARTMENT OF EDUCATION  
ACADEMIC ACHIEVEMENT DIVISION

**Section 2. Assurances**

An LEA submitting an NCLB LEA Consolidated Plan under the *No Child Left Behind Act of 2001* is required to file with the Arizona Department of Education (ADE) this set of assurances applicable to each program for which the plan is submitted. Please read and consider each item carefully as the LEA will be held accountable. **All General Assurances must be checked. For each Title section not checked in its entirety, funding will not be allocated.**

In submitting this NCLB Final LEA Consolidated Plan, the LEA affirms and incorporates the following assurances:

**General Assurances (section 9306 and 4141)**

**ARIZONA DEPARTMENT OF EDUCATION**  
**ACADEMIC ACHIEVEMENT DIVISION**

☐ Each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications.

☐ The control of funds provided under each such program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities.

☐ The public agency, nonprofit private agency, institution, organization, or Indian tribe will administer the funds and property to the extent required by the authorizing statutes.

☐ The LEA will adopt and use proper methods of administering each such program, including (a) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and (b) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation.

☐ The LEA will cooperate in carrying out any evaluation of each such program conducted by or for the ADE, the US Secretary of Education, or other Federal officials.

☐ The LEA will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the applicant under each such program.

☐ The LEA will (a) submit such reports to the ADE (which shall make the reports available to the Governor) and the US Secretary of Education as required to enable the state and federal departments to perform their duties under each such program; and (b) maintain such records, provide such information, and afford such access to the records as the ADE (after consultation with the Governor) or the US Secretary may reasonably require to carry out their duties.

☐ Before the final plan was submitted, the LEA consulted with teachers, researchers, school administrators, and parents, and, if appropriate, with education-related community groups, nonprofit organizations, and institutions of higher learning; and the LEA afforded a reasonable opportunity for public comment on the plan and considered such comment.

☐ The approved Final Plan will be made available for public review.

☐ The LEA will use federal funds applied for under this plan only to supplement the funds that would, in the absence of federal funds, be made available from non-federal sources, and not to supplant such funds.

☐ The LEA is in compliance with state law requiring expulsion from school for a period of no less than 1 year a student who is determined to have unlawfully brought a firearm to school, or to have unlawfully possessed a firearm at a school under the jurisdiction of the LEA, except that the chief administering officer of an LEA is allowed to modify such expulsion requirements for a student on a case-by-case basis if such modification is in writing; and the LEA will provide to the ADE on an annual basis information surrounding any expulsion, including the name of the school concerned, the number of students expelled from such school, and the type of firearm(s) concerned (section 4141).

**Title I**

☐ The LEA will inform eligible schools and parents of schoolwide program authority and the ability of such schools to consolidate funds from federal, state, and local sources.

☐ The LEA will provide technical assistance and support to schoolwide programs.

☐ The LEA will work in consultation with schools as the schools develop and implement their schoolwide plans (section 1114) or undertake targeted assistance activities (Section 1115) so that each school can make adequate yearly progress.

☐ The LEA will fulfill the LEA's school improvement, corrective action, or restructuring responsibilities (section 1116), including offering public school choice and supplemental services (section 1116(b), paragraphs (7) and (8)).

☐ The LEA will take into account the findings of relevant scientifically based research of model programs for the educationally disadvantaged.

☐ The LEA will ensure that pre-schools funded by Title I will comply with the performance standards established under section 641A(a) of the Head Start Act.

☐ The LEA will comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals. The LEA will ensure that all paraprofessionals with instructional duties in any program supported by Title I funds, who are hired after January 8, 2002, will meet these requirements.

☐ The LEA will work in consultation with schools to develop and implement their plans or activities for parental involvement (section 1118) and qualifications for teachers and paraprofessionals (section 1119).

☐ The LEA will inform eligible schools of the LEA's authority to obtain waivers on the school's behalf under Title IX (section 1112).

ARIZONA DEPARTMENT OF EDUCATION  
ACADEMIC ACHIEVEMENT DIVISION

☐ The LEA will coordinate and collaborate with the ADE with respect to a school's request for assistance in addressing factors significantly affecting student achievement that resulted in being identified for school improvement.

☐ The LEA will ensure that low-income students and minority students are not taught by unqualified, out-of-field, or inexperienced teachers at higher rates than other students.

☐ The LEA will use the results of the student academic assessments and other measures or indicators to review annually the progress of each school to determine whether all of the Title I schools are making the progress necessary to ensure that all students will meet the proficient level of achievement on AIMS within 12 years from the end of the 2001-2002 school year.

☐ The LEA will ensure that the results from academic assessments, including AIMS, will be provided to parents and teachers as soon as is practicably possible after the test is taken, in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

☐ The LEA will assist each Title I school in developing or identifying a high-quality, effective curriculum that is aligned to the Arizona Academic Standards.

☐ The LEA will require each principal of each Title I school – whether operating as a targeted assistance or schoolwide program – to attest annually that the school is in compliance with Section 1119 regarding the qualifications of its teachers and paraprofessional staff and will maintain such documentation at the school site and at the LEA office to be available by public request.

☐ The LEA will require each principal of each Title I school – whether operating as a targeted assistance or schoolwide program – to provide to each individual parent timely notice that the parent's child has been taught for four or more consecutive weeks by a teacher who is not highly qualified (section 1111(h)(6) PARENTS RIGHT TO KNOW, paragraph B).

**Title I Comparability**

(Does not apply if the LEA does not have more than one building for each grade span.)

☐ The LEA can demonstrate that funds used in schools served under Title I, Part A provide services that, taken as a whole, are at least comparable to services in schools that are not receiving funds under Title I, Part A, by (a) a local educational agency-wide salary schedule; (b) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (c) a policy to ensure equivalence among

schools in the provision of curriculum materials and instructional supplies.

**Homeless Education  
(all must be checked)**

☐ The LEA will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

☐ The LEA will designate an appropriate staff person as an LEA liaison for homeless children and youths, to carry out the duties described in Title X, Part C, section 722, paragraph (6)(A).

☐ The LEA will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin in accordance with the provisions of Title X, Part C, section 722, paragraph (6)(J)(iii).

☐ The LEA will adopt policies and practices to ensure immediate enrollment of homeless children.

**Title II, Part A**

☐ The LEA will target funds to schools that (a) have the lowest proportion of highly qualified teachers; (b) have the largest average class size; or (c) are identified for school improvement.

☐ The LEA shall conduct a needs assessment for professional development and hiring with the involvement of teachers, principals, administrators,

paraprofessionals, and other school personnel, including Title I teachers, to determine the activities required to give teachers the subject matter knowledge and teaching skills, and to give principals the instructional leadership skills to help teachers, to ensure students will meet the Arizona Academic Standards.

**Title III**

☐ The LEA will ensure that all teachers in **any language instruction educational program for limited English proficient (LEP) children** are fluent in English and any other language used for instruction, including written and oral communications skills.

☐ The LEA will comply with the parental notification provisions throughout the school year (section 3302).

☐ The LEA will annually assess the English proficiency of all limited English proficient (LEP)

**ARIZONA DEPARTMENT OF EDUCATION**  
**ACADEMIC ACHIEVEMENT DIVISION**

students using at least one of the four approved English language proficiency tests.

☐The LEA program is designed to enable LEP students to speak, read, write, and comprehend the English language and to meet Arizona Academic Standards.

☐The LEA is compliant with all Arizona state laws and rules and federal civil rights laws and rules regarding limited English proficient (LEP) students per sections 3126 and 3127.

**Title IV**

☐The activities or programs to be funded must comply with the principles of effectiveness described in section 4115(a) and foster a safe and drug-free learning environment that supports academic achievement.

☐Any drug and violence prevention programs supported under this subpart must convey a clear and consistent message that acts of violence and the illegal use of drugs are wrong and harmful.

☐The LEA, or each school, must have a plan for keeping schools safe and drug-free that includes (a) appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students; (b) security procedures at each school and while students are on the way to and from school; (c) prevention activities that are designed to create and maintain safe, disciplined, and drug-free environments; (d) a crisis management plan for responding to violent or traumatic incidents on school grounds; and (e) a code of conduct policy for all students that clearly states the responsibilities of

students, teachers, and administrators in maintaining a classroom environment that allows a teacher to communicate effectively with all students in the class; allows all students in the class to learn; has consequences that are fair and developmentally appropriate; considers the student and the circumstances of the situation; and is enforced accordingly.

**Title V, Part A**

☐The LEA will determine the need for any of the identified innovative assistance programs listed in section 5131 to designate the use of funds under this part.

☐The LEA will keep such records, and provide such information to the State educational agency, as may be reasonably required for fiscal audit and program

evaluation (consistent with the responsibilities of the State educational agency under this part, section 5133).

☐The LEA will evaluate annually the programs that are carried out under this part.

☐The LEA will use the above evaluation to make decisions about appropriate changes in programs for the subsequent year.

☐The LEA will describe in the evaluation how assistance under this part affected student academic achievement and will include, at a minimum, information and data on the use of funds, the types of services furnished, and the students served under this part.

**Participation of Private School Children  
and Teachers**

(Does not apply to charter LEAs.)

☐The LEA will conduct timely and meaningful consultation with private school officials to provide services to eligible children attending private schools (sections 1120, 5142, 9501) and to provide for participation in professional development by teachers and other instructional staff of private schools (section 9501).